

FISCAL NOTE

HB 3980

March 19, 2006

SUMMARY OF BILL: Authorizes any motor vehicle operator who knowingly ignores a flood warning sign or barricade and drives into a flooded area to be charged with reckless driving. Reckless driving is punishable as a Class A misdemeanor. Authorizes the court to order such motor vehicle operator to pay restitution to defray the taxpayer cost of any rescue efforts related to such reckless driving. Establishes immunity for governmental entities from suit for injury as a result of such reckless driving.

ESTIMATED FISCAL IMPACT:

Increase State Revenues - \$2,375

Increase Local Govt. Revenues – Not Significant

Increase Local Govt. Expenditures – Not Significant

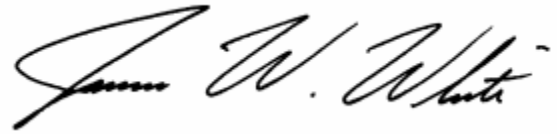
Other Fiscal Impact – Rescues of motor vehicle operators who have traveled on closed roads are rare but can be costly. To the extent that the courts order restitution, there could be a significant increase in state or local government revenues.

Assumptions:

- Approximately twenty-five annual convictions with an average fine of \$100.
- The state receives the fines and the clerks receive commission on such fines in accordance with TCA 55-10-303.
- There will not be a sufficient number of prosecutions for local governments to experience any significant increase in revenues or expenditures.
- Authorizes, but does not require, the courts to order motor vehicle operators to pay restitution to defray the taxpayer cost of any rescue efforts related to reckless driving offenses established under the provisions of this bill.
- Under current law, governmental entities are immune from suit for any injury which may result from such governmental entities engaged in the exercise and discharge of any of their functions.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is written in a cursive style with a large, stylized "J" and "W".

James W. White, Executive Director